UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,160	07/21/2003	Duane Firman	9400-32	6490

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EXAMINER
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ART UNIT	PAPER NUMBER
2179	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/624,160	FIRMAN, DUANE
	Examiner	Art Unit
	TuyetLien (Lien) T. Tran	2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>13 August 2007</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2 and 4-18* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1, 2, 4-18* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the following communication: Amendment filed 8/13/07.

This action is made non-final.

2.   Claims 1, 2, 4-18 are pending in the case. Claims 1, 13 and 15 are independent claims.

Continued Examination Under 37 CFR 1.114

3.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible

for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has

been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37

CFR 1.114. Applicant's submission filed on 8/13/07 has been entered.

Claim Rejections - 35 USC § 101

4.   Applicant's amendment corrects the previous rejection; therefore, the previous rejection

is withdrawn.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art
> are such that the subject matter as a whole would have been obvious at the time the invention was made to
> a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

6.   **Claims 1, 2, 4-18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Xu**

et al (Patent No US 6493694 B1; hereinafter Xu) in view of Klos et al (Pub No US

2002/0168054 A1; hereinafter Klos).

As to claims 1 and 15, Xu teaches:

A method and system for correcting an error in a service order, the service order comprising an electronic document having a plurality of fields, the plurality of fields having data associated therewith (e.g., see col. 1 lines 39-50, col. 4 lines 9-11 and lines 57-67), the method comprising:

providing a service order control panel, the service order control panel comprising a plurality of function commands, each function command having an associated predetermined function that manipulates data in at least one of the plurality of fields in the service order (e.g., see col. 4 lines 1-8 and col. 8 lines 1-34; note that through the Magic Box Engine Interfaces, a user can issues command to update or correct a service order, see col. 7 lines 59-67 through col. 8 lines 1-34);

detecting an error in the service order, wherein said detecting is performed by a service provider using computer software code to identify a data irregularity (e.g., see col. 4 lines 9-28);

accepting user input from a user to select a function command, wherein the user input is provided by a service provider (e.g., see col. 4 lines 24-28 and col. 8 lines 1-8; note the rule language supports a simplistic way of invoking functions, see col. 20 lines 55-57); and

automatically performing the predetermined function associated with the selected function command to manipulate data to correct the error in at least one of the plurality of fields in the service order (e.g., see col. 4 lines 9-28 and lines 57-67 through col. 5 lines 1-5 and col. 8 lines 1-34).

Xu does not expressly teach a service order control panel comprising a plurality of function controls and user selection of a function control.

Klos teaches a system and method for provisioning a digital subscriber line service in a telecommunication network wherein the system further comprises a graphical user interface

(GUI) that enables interaction by a network operator (e.g., see [0053], [0065]). Klos further

teaches errors are identified related to at least on of the service order and the errors are

displayed at the GUI to enable a user to analyze and respond to the errors (e.g., see [0058]).

Specifically, Klos teaches a service order control panel comprising a plurality of function controls

and user selection of a function control (e.g., [0089], [0090]).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to have used the control panel for provisioning a service order as taught by

Klos to the method and system for correcting an error in a service order as taught by Xu to

achieve the claimed invention because Xu suggests to a skilled artisan that different

applications or languages can be used to implement the method of correcting an error in a

service order (e.g., see Xu col. 4 lines 3-8). As further suggested by Xu, the motivation for the

combination is to avoid the delay of the automatic distribution and processing of a service order

that the errors detected in the service order might cause (e.g., see Xu col. 1 lines 15-23).

As to claim 13, claim 13 reflects a computer program product comprising a computer

readable medium having computer readable program code embodied therein (e.g., see col. 3

lines 29-45), the computer readable program code used for performing the methods steps as

claimed in claim 1 and is rejected along the same rationale.

As to claims 2, 14, and 16, Klos further teaches wherein the service order control panel

further comprises at least one linking control, the linking control having a portion of the service

order associated therewith (e.g., see [0090] and Fig. 1), the method further comprising:

accepting user input to select a linking control (e.g., see [0053] and [0090]); and

displaying the portion of the service order associated with the selected linking control

(e.g., see [0090]). Thus, combining Klos and Xu would meet the claimed limitations for the

same reasons as discussed with respect to claim 1 above.

As to claim 4, Xu further teaches accepting user input from the user to edit data

associated with at least one of the plurality of fields (e.g., see col. 4 lines 9-28 and col. 8 lines 1-

34).

As to claim 5, Xu further teaches wherein the predetermined function comprises a

disconnect function and performing the predetermined function further comprises automatically

disconnecting a telecommunications service (e.g., see col. 4 lines 1-33 and lines 56-67 through

col. 5 lines 1-5; note that the service order relates to telecommunication service, see col. 1 lines

10-25).

As to claim 6, Klos further teaches wherein the predetermined function comprises a

connect function and performing the predetermined function further comprises automatically

connecting a telecommunications service (e.g., see [0090]). Thus, combining Klos and Xu would

meet the claimed limitations for the same reasons as discussed with respect to claim 1 above.

As to claim 7, Klos further teaches wherein the predetermined function comprises a

transfer function and performing the predetermined function further comprises automatically

transferring a telecommunications service to a predetermined location (e.g., see [0089]). Thus,

combining Klos and Xu would meet the claimed limitations for the same reasons as discussed

with respect to claim 1 above.

As to claim 8, Klos further teaches wherein the predetermined function comprises a no

field work function and performing the predetermined function further comprises changing one

of the plurality of fields in the service order to indicate that no field work is required (e.g., note the GUI further enables a manual intervention schedule, used to resolve order and provisioning errors, see [0090]; although the disclosed invention does not teach the no field work function, the disclosed invention clearly teaches that field work included as part of a service order; of course, when a service order that can be updated or manipulated, those skilled in the art would appreciate this function to be able to complete a service order). Thus, combining Klos and Xu would meet the claimed limitations for the same reasons as discussed with respect to claim 1 above.

As to claim 9, Klos further teaches wherein performing the predetermined function further comprises manipulating the data in at least one of the plurality of fields in the service order to indicate that the service order is complete (e.g., see Fig. 4). Thus, combining Klos and Xu would meet the claimed limitations for the same reasons as discussed with respect to claim 1 above.

As to claim 10, Xu further teaches wherein performing the predetermined function further comprises altering data in at least one of the plurality of fields in the service order (e.g., see col. 4 lines 9-28 and col. 8 lines 1-34).

As to claim 11, Klos further teaches wherein the data is a date of service (e.g., see [0090]). Thus, combining Klos and Xu would meet the claimed limitations for the same reasons as discussed with respect to claim 1 above.

As to claim 12, Xu further teaches wherein the service order is a telecommunications service order (e.g., see col. 1 lines 10-25).

As to claim 17, Xu further teaches wherein the detected error is a data inconsistency (e.g., see col. 1 lines 10-25).

As to claim 18, Xu further teaches further comprising identifying the fields that include inconsistent data in the service order (e.g., see col. 4 lines 1-33).

Response to Arguments

7.   Applicant's arguments with respect to claims 1, 2, 4-18 have been considered but are moot in new ground or rejection.

Conclusion

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action.

It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33,216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006,1009, 158 USPQ 275,277 (CCPA 1968)).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TuyetLien (Lien) T. Tran whose telephone number is 571-270-1033. The examiner can normally be reached on Mon-Friday: 7:30 - 5:00, off on alternating Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you

would like assistance from a USPTO Customer Service Representative or access to the

automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

T.T   Lien Tran
10/28/2007   Examiner
                                                   Art Unit 2179

BA HUYNH
PRIMARY EXAMINER